

CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	COUNCIL ON REAL ESTATE APPRAISERS
MEETING DATE AND TIME:	Tuesday, June 19, 2012 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , 2nd floor of the Cannon Building
MINUTES APPROVED:	September 18, 2012

Members Present

William Diveley, Chair, Professional Member
Brad Levering, Professional Member
Richard Wheeler, Public Member
Frank Long, Public Member
Ronald Mandato, Vice Chair, Professional Member
Gary V. Parker, Professional Member
Frank Smith, Public Member
Yvonne Rickards, Public Banking Member
Georgianna Trietley, Professional Member

Division Staff/Deputy Attorney General

Patricia Davis-Oliva, Deputy Attorney General
Nicole Williams, Administrative Specialist II
Christine Mast, Administrative Specialist II
Michele Howard, Administrative Specialist II

Members Absent

None

Others Present

Elizabeth Reagan, CRRPA

Call to Order

Mr. Diveley called the meeting to order at 9:34 a.m.

Review and Approval of Minutes

The Council reviewed the minutes from the May 15, 2012 meeting. Mr. Smith noted for the record that Ms. Trietley was not listed as present and a correction on page 2 and page 3. Ms.

Williams made the corrections. Mr. Mandato made a motion to accept the minutes with the corrections, seconded by Ms. Trietley. Motion carried unanimously.

Unfinished Business

Status of Complaints: Review of Updated Consent Agreement for Elizabeth Reagan

Mr. Wheeler stated that the new consent agreement was tailored exactly to the Council's requests but requested clarification on the stayed suspension. Ms. Davis-Oliva advised that if the fine and classes are not completed within the probationary terms then the 90 day suspension would be stayed. Ms. Davis-Oliva stated that suspension is a more serious discipline than probation; a licensee can work while on probation as opposed to suspension where they have no active license. Mr. Diveley stated that the Council can only reject or accept the consent agreement as they cannot make any changes. Ms. Davis-Oliva advised that within 90 days of acceptance of this order Ms. Reagan has to complete the required continuing courses and then within 30 days pay the fine. Mr. Levering inquired if she does not complete the requirements then she will be in violation of the order. Ms. Trietley inquired if she does not pay the fine then what happens. Ms. Davis-Oliva conferred that the license would automatically go into suspension if the fine is not paid as the licensee would be in violation of the order but will follow up to ensure that is the procedure. Mr. Parker made a motion to approve the consent as submitted. Mr. Levering stated that the Council is too quick to make recommendations and suggest that the agreement be stated as 90 days suspension, a fine and classes taken within the 90 days as she should not be able to work for at least 90 days. The Council noted Mr. Levering's comments for the record. Mr. Long seconded Mr. Parker's motion. Mr. Levering opposed. The motion carried by majority vote.

Review of Re-Application Documentation for Andrew Smith for Approval to Sit for the Certified General RPA Exam

Mr. Parker reviewed Mr. Smith's additional information and stated that Mr. Smith's application was in complete order and ready for approval to sit for the exam. Ms. Williams also clarified that Mr. Smith has the required qualifying education hours for Certified General Classification. Mr. Parker made a motion to approve Mr. Smith to sit for the Certified General RPA exam, second by Mr. Mandato. Motion carried unanimously.

New Business

New Complaints

19-07-12 of Sussex Co was assigned to Mr. Mandato.

19-08-12 of New Castle Co was assigned to Mr. Diveley.

19-09-12 – Complaint was re-assigned to Ms. Trietley.

Review of Application for Exemption to Rule and Regulation 4.2.3 for Cory Burd

Mr. Diveley reviewed the exemption request and stated for the record the process for requesting an exemption. Mr. Burd's request was in order. Ms. Trietley made a motion a motion to approve the exemption request for Mr. Burd to appraiser properties without a supervising appraiser present, seconded by Mr. Mandato. Motion carried unanimously.

Ratification of Issued Licenses

Ms. Trietley made a motion to ratify the list of licenses issued below, seconded by Mr. Mandato. Motion carried unanimously.

William Yetke, PA, NJ – CGRPA
Beau Cantera, PA – CGRPA
Colleen Colgan, PA – CGRPA
Heidi Thatcher, IL, MI, NC, SC – CGRPA

Chicorelli, Michael, MD – CGRPA
Susan Field, PA – CGRPA
Michael Garland, VA – CGRPA

Ratification of Approved Continuing Education Activities

Mr. Mandato made a motion to ratify the approved education activities listing, seconded by Mr. Parker. Motion carried unanimously. Mr. Mandato announced that the Delaware Association of Appraisers (DAA) will be offering the USPAP course in July of this year.

Review of Temp Applications for discussion only

Mr. Diveley read the list of names approved for temporary permits. He stated that it would be beneficial to have those who repeatedly apply for temporary practice permits obtain a permanent license. Ms. Trietley concurred. The Council determined to look into this matter in further in the near future. There was no further discussion by the Council.

Other Business before the Council (for discussion only)

Mr. Mandato stated that Mr. Ganderton's log has Pennsylvania appraisals and he does not have access to the Pennsylvania MLS. He inquired if another council member could review the log. Ms. Trietley state that she would review Mr. Ganderton's log as she has access to the Pennsylvania MLS.

Mr. Mandato stated that follow up compliance to consent orders should be assigned to the contact person to ensure compliance. Ms. Davis-Oliva stated that this could be adopted by the Council without a rule or statute change because it would only be a procedural change for the Council.

Mr. Parker advised that the Council was proactive in sending the licensee a letter that he was out of compliance and the licensee came to the meeting to address the Council directly of the situation. Ms. Davis-Oliva suggested that from this date forward the Council will start with compliance monitoring for disciplinary actions starting with Ted Ganderton's consent agreement. The Council concurred. Ms. Davis-Oliva advised that the public members can be contact person for the compliance monitoring of the consent agreements or orders once they signed. Mr. Wheeler volunteered to be the contact compliance monitor for the Elizabeth Reagan consent agreement. There was no further discussion from the Council.

Public Comment

Ms. Reagan came before the Council and inquired if she could pay the fine today and take the seven-hour USPAP course in July through the DAA. The Council confirmed.

Mr. Parker inquired about the sunset committee meeting regarding HB 366. Mr. Parker stated that the assessors have come back with an amendment. Ms. Trietley stated that the assessors had a meeting Thursday last week and have contacted someone who is well versed in USPAP to address the USPAP issue. Mr. Parker stated that the amendment address the matter of compromising to only having the chief assessor licensed and anyone else in the department did not have to be licensed. Ms. Trietley stated that was one of the questions brought up because we have no policy and procedures in place for exams or education other than the list of potential education, therefore the concern among the assessors is where are they to obtain the required education for licensure? Ms. Trietley asked if the assessors in her office, whom are certified residential and certified general appraiser, will still need to obtain an assessor license. Mr. Diveley stated that was a good question; however if a person wants to practice assessing should he or she not have an assessor license regardless of the other types of licenses they hold. Mr. Parker stated that the mass appraisal process is a specialty in the profession. Ms.

Trietley stated that currently there are no mass appraisal classes available in State. Mr. Diveley stated that a person can petition McKissock and they will send a representative to provide a lecture course on mass appraisal. Ms. Davis-Oliva suggested appointing members to form a subcommittee. Ms. Trietley volunteered to be the Chair person for the subcommittee. Mr. Parker will be a professional member of the subcommittee and Mr. Wheeler volunteered as the public member. Mr. Parker instructed Ms. Trietley to contact the assessors to notify them that the Council is going forth with the assessor regulations and development of all forms and procedures for licensure. He advised Ms. Williams to contact the State of Pennsylvania for their assessor exam information and a copy of their log and applications for us to use as a model for developing our own forms.

Mr. Levering inquired about the status of the AMC legislation the Council drafted to be submitted to legislation. Ms. Davis-Oliva advised that the Council can write a letter to Mr. Collins. Mr. Levering suggested that Mr. Diveley should write the letter to Mr. Collins.

Mr. Levering advised of the upcoming AARO meeting, and Ms. Davis-Oliva advised that she is willing to attend.

Ms. Williams announced to the Council that she will be transferring from Team A to Team B and will no longer be the Board Liaison to the Council. However, she will continue to cover the meetings and provide administrative support until a replacement is found. The Council thanked Ms. Williams for her service to the Council and advised that they will miss her professionalism.

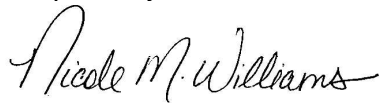
Next Meeting

The next meeting is scheduled for July 17, 2012 at 9:30 a.m. in Conference Room A second floor, Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

Mr. Parker made a motion, seconded by Mr. Mandato to adjourn the meeting. There being no further business before the Council, the meeting adjourned at 10:28 a.m.

Respectfully submitted,



Nicole M. Williams
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Commission members and the public in supplementing their personal notes and recall for presentations.